

Atty Donaldson, Larry A., sole practitioner (for Mary Sue Lancaster, Administrator)

Petition for Final Distribution

DOD: 1/6/2009		MARY SUE LANCASTER, sister and Administrator, is Petitioner.		NEEDS/PROBLEMS/COMMENTS:	
		Accounting is waived.			
Cont. from 040814, 051314, 062414, 081214		I & A — \$164,886.42 POH — \$164,886.42 (\$6,511.42 is cash)		Continued from 8/12/2014 per Order on Ex Parte Motion for Continuance of Status Conference requested by Attorney Donaldson.	
<input type="checkbox"/>	Aff.Sub.Wit.				
<input type="checkbox"/>	Verified	?	Administrator — not requested		
<input checked="" type="checkbox"/>	Inventory		Attorney — not requested	The following issues remain as of 8/26/2014:	
<input type="checkbox"/>	PTC	X		1. Final Inventory and Appraisal filed on 1/29/2014 is incomplete at Item 5 re: property tax certificate, as required by Probate Code § 8800(d). Need statement regarding Property Tax Certificate. (Revenue and Tax Code § 480.)	
<input checked="" type="checkbox"/>	Not.Cred.	070609		2. Petition does not contain a statement regarding whether notice has been sent to the Franchise Tax Board as required pursuant to Probate Code 9202(c)(1) for estates in which Letters were issued 7/1/2008 or after, and Court records contain no proof of service of such notice. Need proof of service of notice to the Franchise Tax Board pursuant to Probate Code 9202(c)(1).	
<input type="checkbox"/>	Notice of Hrg	X	Distribution pursuant to intestate succession is to:	3. The instant Petition does not fully comply with Probate Code § 10954 and CA Rules of Court 7.550 and 7.705 for waivers of account in estate matters, including the statements regarding whether notice of hearing is required to entities such as the Department of Health Care Services and the Victims' Compensation and Government Claims Board. Court may require further information regarding whether notices pursuant to Probate Code § 9202 were required for this estate.	
<input type="checkbox"/>	Aff.Mail	X	MARY SUE LANCASTER – entire estate.	~Please see additional page~	
<input type="checkbox"/>	Aff.Pub.			Reviewed by: LEG	
<input type="checkbox"/>	Sp.Ntc.			Reviewed on: 8/26/14	
<input type="checkbox"/>	Pers.Serv.			Updates:	
<input type="checkbox"/>	Conf. Screen			Recommendation:	
<input type="checkbox"/>	Letters	091509		File 1 – Lancaster	
<input type="checkbox"/>	Duties/Supp				
<input type="checkbox"/>	Objections				
<input type="checkbox"/>	Video Receipt				
<input type="checkbox"/>	CI Report				
<input checked="" type="checkbox"/>	9202 Order	X			
<input type="checkbox"/>	Aff. Posting				
<input type="checkbox"/>	Status Rpt				
<input type="checkbox"/>	UCCJEA				
<input type="checkbox"/>	Citation				
<input type="checkbox"/>	FTB Notice	X			

NEEDS/PROBLEMS/COMMENTS, continued:Notes:

- Petitioner's actions taken during administration of this estate and in distributing the estate property to herself violate the Probate Code provisions for closing an estate, specifically Probate Code § 10501(a)(4) requiring court supervision and authorization for final distribution of the estate.
- *Petition for Final Distribution* filed 2/28/2014 is signed but is not verified by the Petitioner pursuant to Probate Code § 1021 and CA Rule of Court 7.103. However, *Declaration of Petitioner Mary Sue Lancaster in Support of Petition for Order of Final Distribution* filed 2/28/2014, which contains all and substantially the same assertions as the *Petition for Final Distribution*, is verified.
- *Declaration of Mary Sue Lancaster* attached to the initial *Petition for Probate* filed 6/19/2009 states the only creditors of the Decedent of which she is aware are mortgages on the real property and a Visa credit card with a balance of **\$400.00**. Verified *Declaration of Petitioner Mary Sue Lancaster in Support of Petition for Order of Final Distribution* filed 2/28/2014 states all bill[s] and obligations of the estate have been paid or assumed by [her.]
- *Receipt on Distribution* filed 2/19/2014 states **MARY SUE LANCASTER** received from the Administrator Mary Sue Lancaster the entirety of the estate [as specified in the petition] including **100%** interest in real property, and that she assumes all mortgage, tax, and other obligations owing on the real property distributed to her.

Petition for Appointment of Temporary Conservatorship of the Person

Age: 77		GENERAL HEARING: 10/02/14		NEEDS/PROBLEMS/COMMENTS:	
		HEATHER AGUIRRE , daughter, is		Note: Petitioner was appointed	
		Petitioner and requests appointment as		Conservator of the Estate on	
		Temporary Conservator of the Person.		04/22/13.	
Cont. from		Petitioner states the proposed		Court Investigator Charlotte Bien	
	Aff.Sub.Wit.		conservatee has been diagnosed with	advised rights on 08/20/14.	
✓	Verified		Dementia. He was recently released		
	Inventory		from a civil commitment at Coalinga		
	PTC		State Hospital to an assisted living facility		
	Not.Cred.		in Clovis. He left the hospital with no		
✓	Notice of Hrg		supplemental insurance, which is		
✓	Aff.Mail	w/	necessary for his current and ongoing		
	Aff.Pub.		physician appointments and		
	Sp.Ntc.		medications. Temporary		
✓	Pers.Serv.	w/	conservatorship of the person is		
✓	Conf. Screen		requested so that petitioner can seek		
✓	Letters		supplemental insurance on behalf of		
✓	Duties/Supp		the conservatee.		
	Objections		Court Investigator Charlotte Bien filed a		
	Video Receipt		report on 08/22/14.		
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting			Reviewed by: JF	
	Status Rpt			Reviewed on: 08/26/14	
	UCCJEA			Updates:	
	Citation			Recommendation:	
	FTB Notice			File 2 - MacMurray	

3 Andrew & Marianne Lawson Trust 9/22/93 (Trust) Case No.13CEPR01105**Atty Cavalari, Michelle A. (of Sacramento, for Petitioners Judith Kay Freitas and Optimism One)****Petition by Co-Trustees of Inter-Vivos Trust to Establish Claim of Ownership Over Property**

Andrew Lawson DOD 6-21-05	JUDITY KAY FREITAS and OPTIMISM ONE, Successor Trustees, are Petitioners.	NEEDS/PROBLEMS/ COMMENTS: 1. The Fresno County Federal Credit Union accounts are listed on the Trust's Exhibit "A" and there does not appear to be any issue with establishing the trust's ownership of this account. However, the Court may require clarification and authority regarding the Jackson National Life accounts and the State Farm Accounts. The trust does not appear to include an omnibus clause; rather, Petitioner refers to the pour-over will and the section of the trust allowing receipt of additional assets. However, in order to receive additional assets from the estate or the executor, as described in the petition, it appears that logistically, probate of the estate would be necessary.
Marianette Lawson DOD 11-24-13	Petitioners state ANDREW J. LAWSON and MARIANETTE LAWSON, husband and wife, established the ANDREWJ. AND MARIANETTE LAWSON TRUST OF 1993 on September 22, 1993. On 6/21/2005 Marianne Lawson died. On 11/24/13 Andrew J. Lawson died. Andrew J. Lawson died a widow without leaving issue. The trust provides for distribution to Clara Mae Roberts, who predeceased Andrew, then to his sister-in-law Judith K. Freitas, and his nephews, Kevin M. Nelson, Brian R. Nelson, and Craig R. Nelson (aka Optimism One). Andrew J. Lawson had no other heirs. There are three (3) assets that are the subject of this proceeding: <ul style="list-style-type: none">Two (2) Jackson National Life Ins Co Fixed and Variable Annuities Accounts in the approx. amount of \$72,846.00 and \$39,223.00, titled in the name of Andrew J. Lawson.Fresno County Federal Credit Union accounts in the approx. amount of \$99,783.57 and \$3,141.70, titled in the name of Andrew J. Lawson and Marianne Lawson, as Joint Tenants.State Farm Account in the approx. amount of \$75,000.00 titled in the name of Andrew J. Lawson. The nominated successor trustee predeceased Andrew Lawson and the position was vacant until the Court appointed Petitioners as successor co-trustees on 2-3-14.	
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
Inventory		
PTC		
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
SEE ADDITIONAL PAGES		Reviewed by: skc
		Reviewed on: 8-26-14
		Updates:
		Recommendation:
		File 3 - Lawson

Page 2

Petitioners state the assets that are the subject of this proceeding are held at the respective financial institutions that require a Court Order directing their distribution. The trust was created primarily to reduce the cost of administration of the estate of the trustors, to provide for centralized management of the assets of the trustors during their lifetime, and to provide for continued management of the assets after their deaths.

The trust Schedule A includes the Credit Union accounts.

The trust defines the trust estate as "...property described in Exhibit A and any other property that may hereafter be transferred or conveyed to and received by the Trustee...." Therefore, the trust acknowledges the trustors' intent to include any after-acquired property as part of the trust corpus.

On 7-3-10 and again on 7-25-12, 17 years after the trust was established, a broker from **Jackson National Life Insurance Company** assisted Andrew J. Lawson in completing beneficiary designation forms for two separate annuities as "Refer to Owner's Estate." Mr. Lawson relied on the assistance of the broker and believed that the designation was sufficient to establish the trust as beneficiary.

Petitioners state it was always the decedent's intention to include all of his property, including the annuities, as part of the trust, as evidenced by his trust and his pour-over will. By designating the beneficiary as "Refer to Owner's Estate," it is clear that Mr. Lawson intended Jackson National Life Insurance Company to refer to the Trust in processing the annuities.

Finally, the **State Farm account** named Clara Mae Roberts as beneficiary, without a contingent beneficiary. However, as noted above, the trust specifically includes after acquired property "...received by the trustee..." as part of the trust estate. Because the pour-over will directs the executor to deliver the residue to the trust, the proceeds from the State Farm account qualify as after-acquired property "received by the trustee" from the executor of the will.

Age: 37	JEFFREY KLEIN , father, and KATHERINE WRIGHT , mother, are petitioners and request appointment as Conservators of the Person and the Estate. Court Investigator Jennifer Young's report filed 08/26/2014.	NEEDS/PROBLEMS/COMMENTS: Petition for Conservatorship of the Person and the Estate was transferred in from Orange County. Based on the fact that the petitioners no longer wish to move forward with their petition this Examiner did not conduct a review of the case.
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV Reviewed on: 08/27/2014 Updates: Recommendation: File 4 - Klein

Petition to Establish Trust Interest Over Real and Personal Property

[illegible]

Atty Pimentel, Paul J. (for Petitioner Robert Chung)

Petition for: Removal of Trustee, Accounting, Surcharge to Trustee for Damage to Estate, Damages for Breach of Fiduciary Duty, Appointment of Successor Trustee

Helene Chung DOD 10-6-12		ROBERT CHUNG , Beneficiary and named successor trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Petitioner states that Petitioner, the trustee, and Vicki Chung are the beneficiaries and provides addresses, but the petition does not state that they are all of the persons entitled to notice pursuant to §§ 17201 and 17203.) Need verified declaration. Note: The address provide for the trustee is a PO Box in Pleasanton. The Court may require clarification. 2. The Court may require clarification re Fresno as proper venue. The address provided for the Trustee is a PO Box in Pleasanton, which is Alameda County. However, it is unclear where the trustee resides, or if she was properly served with the Election to Establish Trust Venue in Fresno County or this petition.																																																																				
<table border="1"> <tr><td></td><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td>✓</td><td>Verified</td><td></td></tr> <tr><td></td><td>Inventory</td><td></td></tr> <tr><td></td><td>PTC</td><td></td></tr> <tr><td></td><td>Not.Cred.</td><td></td></tr> <tr><td>✓</td><td>Notice of Hrg</td><td></td></tr> <tr><td>✓</td><td>Aff.Mail</td><td>w</td></tr> <tr><td></td><td>Aff.Pub.</td><td></td></tr> <tr><td></td><td>Sp.Ntc.</td><td></td></tr> <tr><td></td><td>Pers.Serv.</td><td></td></tr> <tr><td></td><td>Conf. Screen</td><td></td></tr> <tr><td></td><td>Letters</td><td></td></tr> <tr><td></td><td>Duties/Supp</td><td></td></tr> <tr><td></td><td>Objections</td><td></td></tr> <tr><td></td><td>Video Receipt</td><td></td></tr> <tr><td></td><td>CI Report</td><td></td></tr> <tr><td></td><td>9202</td><td></td></tr> <tr><td>✓</td><td>Order</td><td></td></tr> <tr><td></td><td>Aff. Posting</td><td></td></tr> <tr><td></td><td>Status Rpt</td><td></td></tr> <tr><td></td><td>UCCJEA</td><td></td></tr> <tr><td></td><td>Citation</td><td></td></tr> <tr><td></td><td>FTB Notice</td><td></td></tr> </table>				Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.		✓	Notice of Hrg		✓	Aff.Mail	w		Aff.Pub.			Sp.Ntc.			Pers.Serv.			Conf. Screen			Letters			Duties/Supp			Objections			Video Receipt			CI Report			9202		✓	Order			Aff. Posting			Status Rpt			UCCJEA			Citation			FTB Notice	
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Petitioner states pursuant to §16062, Petitioner is entitled to receive an account of the transactions of the trust at least annually, and pursuant to §17200(b)(7), more than 60 days have elapsed since Petitioner presented a written request for an account. Therefore, Petitioner requests an order of this Court instructing the trustee to deliver an account of the transactions of the trust to Petitioner.

Petitioner also requests surcharge for damage to estate and requests damages for breach of fiduciary duty. See petition for details.

Petitioner prays for relief as follows:

1. That SUSAN HANLEY be removed as trustee;
2. For an order that SUSAN HANLEY make an accounting and surrender all property and records in her possession belonging to the estate;
3. For an order requiring SUSAN HANLEY to forthwith provide an accounting in compliance with Probate Code §§ 1060 through 1064;
4. For an order and judgment charging SUSAN HANLEY with losses to the estate
5. For interest on such losses at the maximum legal rate;
6. For costs of suit;
7. For reasonable attorney's fees;
8. For compensatory damages to compensate Petitioner and the trust estate for losses sustained as a result of SUSAN HANLEY's breach of her fiduciary duties;
9. For an order appointing Robert Chung as trustee without bond
10. For such other orders as the Court may deem proper.

DOD: 04/20/2014	MARGARET NICHOLS , spouse is petitioner and requests appointment as Administrator without bond.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	Sole heir waives bond	
<input type="checkbox"/> Aff.Sub.Wit.	Full IAEA – o.k.	
<input checked="" type="checkbox"/> Verified	Decedent died intestate	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Residence: Clovis	
<input type="checkbox"/> Not.Cred.	Publication: The Business Journal	
<input checked="" type="checkbox"/> Notice of Hrg	<u>Estimated value of the Estate:</u>	<u>Note: If the petition is granted status hearings will be set as follows:</u>
<input checked="" type="checkbox"/> Aff.Mail	Real property - \$275,000.00	<ul style="list-style-type: none"> • Tuesday, 01/06/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Tuesday, 10/06/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.
<input checked="" type="checkbox"/> Aff.Pub.	Probate Referee: Rick Smith	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: LV
<input type="checkbox"/> Status Rpt		Reviewed on: 08/27/2014
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation: Submitted
<input type="checkbox"/> FTB Notice		File 7 - Nichols

Petition for Probate of Will and for Letters of Administration with Will Annexed;
Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 07/13/2014	PUBLIC ADMINISTRATOR , is petitioner and requests appointment as Administrator with Will Annexed without bond.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	Full IAEA – o.k.	
<input type="checkbox"/> Aff.Sub.Wit.	Will dated: 07/26/2006	
<input checked="" type="checkbox"/> Verified	Residence: Fresno	1. Need original will to be deposited with the Court pursuant to Probate Code §8200(a)(1).
<input type="checkbox"/> Inventory	Publication: The Business Journal	2. Need Proof of Holographic Will.
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Estimated value of the Estate:	
<input checked="" type="checkbox"/> Notice of Hrg	Personal property - \$31,000.00	
<input checked="" type="checkbox"/> Aff.Mail w/	Real property - \$206,000.00	
<input checked="" type="checkbox"/> Aff.Pub.	Total - \$237,000.00	
<input type="checkbox"/> Sp.Ntc.	Probate Referee: Rick Smith	Note: If the petition is granted status hearings will be set as follows:
<input type="checkbox"/> Pers.Serv.		<ul style="list-style-type: none"> • Tuesday, 01/06/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Tuesday, 10/06/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.
<input checked="" type="checkbox"/> Letters		Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<input type="checkbox"/> Duties/Supp n/a		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 08/27/2014
		Updates:
		Recommendation:
		File 8 - Paregian

**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and or
Failure to File a First Account or Petition for Final Distribution**

DOD: 12/01/2002	JUDY RILEY , daughter, was appointed Administrator with will annexed without bond on 09/06/2005.	NEEDS/PROBLEMS/COMMENTS: Minute Order of 07/15/2014: No appearances. The Court notes that Judy Riley has failed to comply and communicate. The Court on its own motion removes Judy Riley as the administrator and appoints the Public Administrator as the personal representative. The Court imposes sanctions in the amount of \$1,000.00 each as to Judy Riley and Michael Milnes. Copy of Minute Order dated 07/15/2014 was mailed to Michael Milnes and Judy Riley on 07/21/2014. Minute Order of 06/10/2014: The Court notes that the hour is 10:15 a.m. and there are no appearances. The Court further notes that sanctions have been previously imposed. The Court sets the matter for an Order to Show Cause on 07/15/2014 regarding failure to appear and further sanctions in the amount of \$1,000.00 each as to Michael Milnes and Judy Riley. Michael Milnes and Judy Riley are ordered to be personally present on 07/15/2014. Copy of Minute Order dated 06/10/2014 and Order (re: Order to Show Cause) mailed to Michael Milnes and Judy Riley on 06/16/2014. Minute Order of 05/09/2014: No appearances. Michael Milnes is ordered to be personally present on 06/10/2014. <u>Please see additional page</u>
	Letters issued on 09/06/2005.	
	Inventory and Appraisal as due on 02/2006.	
	First Account or Petition for Final Distribution was due on 11/2006.	
	Notice of Status Hearing was mailed to Attorney Michael A. Milnes and Judy Riley on 11/21/2013.	
	Pursuant to the minute order dated 07/15/2014, on the Court's own motion removes Judy Riley as the administrator and appoints the Public Administrator as the personal representative.	
Cont. from 022114, 050914, 061014, 071514		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
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CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Reviewed by: LV
Reviewed on: 08/26/2014
Updates:
Recommendation:
File 9 – Eldridge

Needs/Problems/ Comments continued:

Minute Order of 05/09/2014 on Order to Show Cause Re: Failure to File and Failure to Appear: No appearances. The Court imposes sanctions against Michael Mines and Judy Riley in the amount of \$500.00 each. Sanctions are ordered paid by 05/23/2014.

Copy of Minute Order mailed to Michael Milnes and Judy Riley on 05/14/2014.

Minute Order of 02/21/2014: No appearances. The Court notes the file has no indication of notices of being returned. The Court issues order to Show Cause with sanctions of \$500 to Judy Riley and Mr. Milnes for failure to file or appear.

1. Need Inventory and Appraisal and First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.

**Probate Status Hearing for Failure to File the Inventory and Appraisal and for
Failure to File the First Account or Petition for Final Distribution**

DOD: 8/9/1999		<p>DIANA L. SANCHEZ, daughter, was appointed Executor with Full IAEA without bond on 7/18/2000; Letters issued on 7/20/2000.</p> <p>Amended Petition for Probate filed 6/27/2000 estimated the value of the property of the estate at \$152,000.00, consisting of \$12,000.00 in personal property and \$140,000.00 in real property.</p> <p>Decedent's Will dated 5/21/1997 devises all property and entire residue of the estate to the Trustee of the GIBSON AND MARIE HUNTER REVOCABLE FAMILY TRUST dated 5/21/1997.</p> <p>Pursuant to Probate Code § 8800(b), Final Inventory and Appraisal was due 11/20/2000.</p> <p>Pursuant to Probate Code § 12200, first account and/or petition for final distribution was due 7/20/2001.</p> <p>Notice of Status Hearing filed 10/31/2013 set a status hearing on 12/6/2013 for failure to file the inventory and appraisal and failure to file a first account or petition for final distribution. Status Hearings have been continued since 12/6/2013 to the present.</p> <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 7/15/2014. Minute Order states: Victor Mendoza is sworn and interprets for Pablo Mendoza, Sr. The Court on its own motion removes Diana (Sanchez) Evans as the Executor and appoints the PUBLIC ADMINISTRATOR as the personal representative. Matter continued to 9/2/2014. Mr. Seymour and Ms. Evans are ordered to provide an accounting and be personally present at the next hearing. Ms. Evans provides the following contact information to the Court [omitted.]</p> <p>Note: Letters of Administration with Will Annexed issued to the PUBLIC ADMINISTRATOR on 8/12/2014.</p> <p>The following issues remain for Attorney Seymour to address:</p> <ol style="list-style-type: none"> 1. Need Final Inventory and Appraisal pursuant to Probate Code § 8800(b). 2. Need accounting per Court's order of 7/15/2014, and proof of service of notice of the Status Hearing set on 9/2/2014 pursuant to Local Rule 7.5(B) for the following persons: <ul style="list-style-type: none"> • CULLEN DOUGLAS BIRCH, son; • GUY WESLEY BIRCH, son; • JON KEITH BIRCH, son; • DIANA LYNN SANCHEZ, daughter (Executor); • Trustee of the GIBSON AND MARIE HUNTER REVOCABLE FAMILY TRUST dated 5/21/1997; • E. Warren Gubler per Request for Special Notice filed 6/8/2000. <p align="center">~Please see additional page~</p>
Cont. from 120613, 021414, 032814, 052314, 071514			
Aff.Sub.Wit.			
Verified	X		
Inventory	X		
PTC			
Not.Cred.			
Notice of Hrg	X		
Aff.Mail	X		
Aff.Pub.			
Sp.Ntc.	X		
Pers.Serv.			
Conf. Screen			
Letters	072000		
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
✓ Status Rpt	PA		
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: LEG</p> <p>Reviewed on: 8/27/14</p> <p>Updates: 8/28/14</p> <p>Recommendation:</p> <p>File 10 - Hunter</p>	

Probate Status [Report for] Hearing Re: Failure to File the Inventory and Appraisal and for Failure to File the First Account or Petition for Final Distribution filed 8/28/2014 states:

- Deputy Public Administrator Noe Jimenez researched the case and learned that Diana Evans, the former Administrator, sold a promissory note on a home;
- The total promissory note noted on deed of trust was for **\$29,119.16**, and the buyer overpaid;
- Deputy Jimenez spoke with Ms. Evans, who reports that she spent the monies from the bank and is working on getting the monies back via a loan;
- She informed Deputy Jimenez that she was going to pay the overpayment back to the people who bought the house and wants it deeded to them;
- The Public Administrator agrees with this resolution;
- The following is a list of payments made on the promissory notes; most of these payments have supporting documents for them, except there is a missing receipt for those months that are in parenthesis:
 - **\$5,000.00** down payment noted on promissory note;
 - 1996- (May) **\$420.06 x 6 = \$2,520.36**
 - 1997- **\$420.06 x 12 = \$5,040.72**
 - 1998- **\$420.06 x 12 = \$5,040.72**
 - 1999- (Sept) **\$420.06 x 11 = \$4,620.66**
 - 2000- **\$420.06 x 12 = \$5,040.72**
 - 2001- (June/Oct) **\$420.06 x 10 = \$4,200.60**
 - 2002- (April) **\$420.06 x 11 = \$4,620.66**
 - 2003- (March/April) **\$420.06 x 10 = \$4,200.60**
 - 2004- (April) **\$420.06 x 11 = \$4,620.66**
 - 2005- **\$420.06 x 12 = \$5,040.72**
 - 2006- (March, June, July, and Dec) **\$420.06 x 8 = \$3,360.48**
 - 2007- (June/Oct) **\$420.06 x 10 = \$4,200.60**
 - 2008- **\$420.06 x 12 = \$5,040.72**
 - 2009- (Aug) **\$420.06 x 6 / \$422.00 x 5 = \$4,630.36**
 - 2010- (April-December) **\$420.06 x 2 + \$422.00 = \$1,262.12**
- Summary of the above: Total Paid = **\$63,440.70**; Promissory note = **\$29,119.16**; Overpaid = **\$34,321.54**;
- In addition to the overpayments received, there are creditors who have not been paid;
- In order to allow time to for Ms. Evans to obtain the loan and to prepare a final account, the Public Administrator respectfully requests that the next status hearing be set no sooner than **90 days** from the date of this status hearing;
- The house must be put in the name of the buyer in order for them to obtain insurance, which is crucial at this point;
- Because there is proof that the loan was paid in full, and then some, the Public Administrator would like instruction allowing him to distribute the real property at this time.

NEEDS/PROBLEMS/COMMENTS to PUBLIC ADMINISTRATOR:

1. Need proposed order regarding the request for Court instructions to the Public Administrator to distribute the real property to the buyer at this time.

~Please see additional page~

Creditor's Claim filed on 7/10/2014 by PABLO MENDOZA, claimant to Estate real property for an amount "to be determined by the Court," contains *Exhibit A through Exhibit H* consisting of voluminous supporting documents and receipts, and states:

- The Decedent and her husband, **GIBSON PETE HUNTER**, owned real property located at 1535 S. Third Street in Fresno;
- Claimant and his wife, **GEORGINA MENDOZA**, began renting the home located at 1535 S. Third Street from Mr. and Mrs. Hunter in ~1992 or 1993;
- Over time, he and his wife became good friends with Mr. and Mrs. Hunter, so much so that Mr. and Mrs. Hunter came to their home weekly for lunch and a visit, not just for the purpose of collecting the rent when it was due; he and his wife always paid their rent to Mr. and Mrs. Hunter in person;
- In early 1996, he and his wife entered into an agreement with Mr. and Mrs. Hunter to purchase their property on 1535 S. Third Street for **\$40,000.00** (*copies of loan and Escrow documents attached*);
- On 6/22/1996, he and his wife made a **\$5,000.00** down payment toward the purchase of the home (*copy of down payment receipt signed by Mr. Hunter attached; copy of signed and notarized Note for purchase of house dated 8/20/1996 attached*);
- On 7/18/1996, he and his wife began making monthly payments of **\$420.06** on a **\$29,119.16** note, plus interest, for purchase of the home; **CULLEN D. BURCH**, one of Mrs. Hunter's sons, assumed control of the Hunters' business affairs in 1999, and he and his wife's house payments were then made in cash or money order to Mrs. Burch; he and one of his sons traveled every month to Mr. Burch's home in Hanford to make their house payment (*copies of monthly payment receipts dated from 3/16/1996 through 2/22/2010 attached*);
- After Mr. Hunter and then Mrs. Hunter passed away, sometime in 2000 a dispute broke out between Cullen Burch and **DIANA SANCHEZ** [Executor], and attorney William Seymour became involved in the Estate of Marie Ophelia Hunter;
- With the assistance of one of his sons, he began traveling to Lemoore each month to personally make his house payments at Attorney Seymour's law office, the first of which was made on 6/21/2000; he traveled without fail each month to Lemoore to make their house payments;
- In July of 2003, Attorney Seymour instructed him in writing to continue to make house payments to the Estate of Marie Hunter, but to mail the payments to Diana Sanchez at 232 N. Lemoore Ave. #26, Lemoore (*copy of letter from Attorney Seymour dated 7/1/2003 attached*);
- He complied with Attorney Seymour's instructions and mailed their payment to Diana Sanchez; however, their 7/14/2003 payment was returned by the US Postal Service due to insufficient address; he resumed making trips to Attorney Seymour's office in Lemoore to make their house payments, as he had no way of locating Diana Sanchez and it seemed to him that Attorney Seymour was continuing to be Diana Sanchez' collection agent; when Attorney Seymour moved his office to Visalia, he travelled to Visalia to make their house payments at Attorney Seymour's office each month, well into the year 2010 (*copies of monthly payment receipts to Law Office of William Seymour attached*);
- Sometime in 2010, Attorney Seymour stated to him while making their house payment at his office in Visalia that he should stop making the house payments because they had overpaid their Note; Attorney Seymour held up a 2 ½ to 3 inch stack of Money Orders that had not been cashed, and told him and his son that the stack represented ~3 years of their house payments;
- Attorney Seymour stated, "The Estate of Marie Hunter will owe you a lot of money back."

~Please see additional page~

Creditor's Claim filed on 7/10/2014 by PABLO MENDOZA, continued:

- His records document monthly house payments through 3/18/2010 which is 34 months past the 118 month payment schedule on their original note; he believes they have made payments well past 3/18/2010, but has yet to complete compiling his remaining records; based on his calculations, their overpayment on their Note to date is **\$14,295.62** (*copies of Amortization schedule attached*);
- In early 2011, they were told the Estate of Marie Hunter had settled; Attorney Seymour's office instructed him to travel to his law office in Visalia to meet Attorney Seymour and Diana Sanchez, who was now the personal representative of the Estate of Marie Hunter, and that Diana Sanchez would appear at Attorney Seymour's office to sign a *Deed of Personal Representative* to finally release title to the property located at 1535 S. Third Street to him and his wife, who had been legally residing at the residence well before their 6/22/1996 down payment to purchase the property;
- Diana Sanchez failed to appear at Attorney Seymour's office in Visalia for the initial scheduled meeting, and she continued not to show up at all of the later scheduled meetings at Attorney Seymour's office to which he and his son made repeated trips, possibly more than 10 times;
- **Without legal title to their home, they cannot purchase fire insurance or claim their home as an asset, even though they have paid the Fresno County Property Tax on their home since 1997** [*emphasis in original*];
- Diana Sanchez again did not show up to the last scheduled meeting, and Attorney Seymour gave him an unsigned copy of the *Deed of Personal Representative* and told him it was his responsibility to hire a Private Investigator to search for and locate Diana Sanchez and to have her sign that document and return the signed document to Attorney Seymour; (*copy of unsigned deed for transferring title from the Estate to Pablo Mendoza attached*);
- Attorney Seymour told him that he was unable to locate Diana Sanchez and referred him to a local Private Investigator in Visalia; his son, on his behalf, contacted the Private Investigator who quoted a fee for services of **\$900.00** to locate Diana Sanchez, but he was unable to hire the Private Investigator because he did not have the **\$900.00** to pay for his service.

Note: Proof of Personal Service of the Creditor's Claim of **PABLO MENDOZA** filed on 7/10/2014 shows that Attorney William Seymour was personally served with a copy of the *Creditor's Claim* on 7/10/2014.

Declaration of Sheila Krebs, registered process server, filed 7/14/2014 states:

- On 7/9/2014, she received the assignment to serve the Creditor's Claim to the Law Office of William L. Seymour located at 220 N. Santa Fe Street, Visalia, CA 93292; on 7/10/2014 at 11:25 a.m., she arrived at the address 220 N. Santa Fe Street, Visalia, and the building had a listing of people on the left side of the door, and Attorney Seymour's name was listed as one of the people who had an office in that building; the building is actually the Visalia Chamber of Commerce;
- She went to the counter where the receptionists were sitting and she asked to be directed to Attorney Seymour's office and the receptionist informed her that he used to have an office in this building but does not have an office at this location anymore, and it is used as a mail-drop where he receives all of his mail at that building; she indicated that he checked mail every few days;
- She asked if she left [documents] with her would he receive it and she said yes; she asked her if she should write on her proof of service that she left the documents at the Law Office of William L. Seymour and was she authorized to receive documents, and she said yes that was correct; at 11:30 a.m. she handed her the Creditor's Claim with all of the Exhibits attached.

~Please see additional page~

Notes for Background:

- **Attorney E. Warren Gubler filed a Request for Special Notice on 6/8/2000** in relation to a **\$14,102.00** Creditor's Claim of Mission Medical Enterprises dba Hanford Rehab Hospital. *Allowance of Creditor's Claim* was filed **8/18/2000**, allowing the claim for **\$14,102.00** of Mission Medical Enterprises d.b.a. Hanford Rehab Hospital.
- **Creditor's Claim was filed on 9/26/2000** by Kings Credit Services on behalf of Hanford Community Medical Center for **\$63,118.47**
- **Minute Order dated 12/6/2013 from the hearing set by the Notice of Status Hearing filed 10/31/2013** for failure to file the inventory and appraisal and failure to file a first account or petition for final distribution states: **MS. [MARLENE] HUBBEL** is appearing specially for Attorney William Seymour. The Court directs Mr. Seymour to file a declaration requesting to be relieved as counsel with a copy of any correspondence or substitution of attorney sent to Diana Sanchez. The Court will allow Mr. Seymour to withdraw as counsel upon review of the documents and an order after hearing. The Court orders Mr. Seymour to retain any documents in his possession. Said documents will be subject to being turned over to either Diana Sanchez or an individual subsequently appointed. The Court sets the matter for an Order to Show Cause on 2/14/2014 regarding failure to file the inventory and appraisal; failure to file the first account or petition for final distribution, and imposition of sanctions in the amount of **\$500.00**. The Court orders Diana Sanchez to be personally present on 2/14/2014.
- **Minute Order dated 2/14/2014 states:** Order to Show Cause to issue for Diana Sanchez upon receipt of a new address from counsel. Attorney Seymour appeared (not Diana Sanchez), and Pablo Mendoza and Victor Mendoza also appeared.
- **Minute Order dated 3/28/2014** from the last Status Hearing held in this matter states the Order to Show Cause issued to Executor Diana Sanchez is dismissed. Diana Sanchez was not present at hearing on 3/28/2014. Attorney William Seymour appeared at hearing on 3/28/2014.
- **Minute Order dated 5/23/2014** continued the matter to 7/15/2014, and it was at that hearing that the Court appointed the Public Administrator as personal representative.

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution

DOD: 01/23/11		BETSY McMILLAN , daughter, was appointed as Executor with full IAEA and without bond on 01/04/12. Letters Testamentary were issued on 01/05/12.
Cont. from 020714, 061014		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Inventory & Appraisal, partial no. 1, filed 03/14/12	-	\$64,500.00
Inventory & Appraisal, final, filed 11/20/12	-	\$72,367.01

Notice of Status Hearing filed 11/18/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution. **Clerk's Certificate of Mailing** states that a copy of the Notice of Status Hearing was mailed to attorney Joanne Sanoian and Betsy McMillan on 11/18/13.

Unverified Status Report filed 01/30/14 requests a 60 day continuance for the Executor to prepare the First and Final Account.

NEEDS/PROBLEMS/COMMENTS:	
<u>CONTINUED FROM 06/10/14</u>	
1. Need First Account or Petition for Final Distribution First Account or Petition for Final Distribution and/or current verified status report.	
Reviewed by: JF	
Reviewed on: 08/26/14	
Updates:	
Recommendation:	
File 11 – Castle	

Status Hearing Re: Filing of the Petition for Final Distribution

DOD: 02/24/2012		<p>KENNETH ROBERTS, was appointed Administrator with full IAEA and with bond set at \$20,000.00 on 10/18/2012.</p> <p>Proof of Bond was filed 2/22/2013 showing bond posted in the sum of \$20,000.00.</p> <p>Letters issued on 03/14/2013.</p> <p>Final Inventory and Appraisal filed on 10/15/2013 shows an estate valued at \$129,764.97.</p> <p>Minute Order of 10/18/2012 set this matter for hearing on 12/20/2013 for status of filing for final distribution.</p> <p>Minute Order dated 12/20/2013 [Judge Snauffer] states: No appearances. Matter continued to 1/2/2014. The Court orders Larry Donaldson to be personally present on 1/2/2014.</p> <p>Former Status Conference Statement filed 03/04/2014 by Attorney Larry A. Donaldson states that the accounting for the estate has been partially prepared but is not completed yet. The Administrator and heirs have not yet decided whether to sale or transfer the real property in the estate. The house is the only asset left in the estate. The Administrator of the estate, Ken Roberts, has lent the estate more than \$9,000. Ken Roberts is serving as Administrator without compensation and waives all fees that would normally be paid to him. Attorney Donaldson also waives all fees that would normally be paid for his services. There are no other assets other than the real property to pay back to the money loaned to the estate. Attorney Donaldson will be out of the county from 03/04/2014 through 03/12/2014 and unavailable to complete the paperwork to finish the accounting. Attorney Donaldson anticipates that the accounting will be completed and the estate in a condition to close by April 30, 2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 07/16/2014: counsel requests a continuance.</p> <p>Minute Order of 06/04/2014 continued to 07/16/2014.</p> <p>Minute Order of 04/30/2014: Counsel advises the Court that he now has all the paperwork needed to file the required documents.</p> <p>1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from 122013, 010214, 031314, 043014, 060414, 071614			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
✓ Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: LV
Reviewed on: 08/26/2014
Updates:
Recommendation:
File 12 – Roberts

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 9/7/2012		<p>MICHELE R. CURLEY, Daughter, was appointed Administrator with Full IAEA with bond of \$30,000.00 on 11/7/2012. Letters issued 1/22/2013.</p> <p>Minute Order dated 11/8/2013 from the Status Hearing Re: Increase in Bond Based on the Value of the Estate as Shown on the Inventory and Appraisal continued the status hearing to 1/17/2014 for filing of an ex parte petition to increase the bond.</p> <p>Proof of Bond filed 1/14/2014 shows bond of \$14,000.00 was posted. Based on 1/22/2013 bond posted of \$30,000.00, the total bond is currently \$44,000.00.</p> <p>Status Conference Statement filed 5/21/2014 for the previous Status Hearing set for 5/23/2014 states:</p> <ul style="list-style-type: none"> The Inventory and Appraisal was filed on 10/15/2013 showing an estate value of \$110,367.38, with real property valued at \$60,000.00; The real property has been taken over by vandals; real estate professionals have indicated that sale proceeds will not be sufficient to cover selling costs and encumbrances; The Administrator is currently preparing an accounting, including her own personal funds used toward estate administration; Additionally, the Administrator has placed two vehicles in storage, and is in the process of selling them; A final report and petition to distribute the estate should be prepared after the vehicles are sold; Therefore, the Administrator asks for an additional 6 weeks to resolve these remaining assets. <p>Status Conference Statement filed 7/21/2014 for the previous Status Hearing on 7/22/2014 states:</p> <ul style="list-style-type: none"> The Administrator is currently preparing an accounting, including her own personal funds used toward estate administration; Additionally, the Administrator has placed 2 vehicles in storage and is in the process of selling them; A final report and petition to distribute the estate should be prepared after the vehicles are sold; however, if the vehicles are not sold in the immediate future, a petition for final distribution will be prepared and filed with the Court asking that any remaining vehicles be distributed to each beneficiary in their respective rightful share as tenants in common. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 7/22/2014.</p> <p>The following issue remains:</p> <p>1. Need first account and/or petition for final distribution; or verified Status Report and proof of service of notice of the Status Hearing pursuant to Local Rule 7.5(B).</p>
Cont. from 011014, 011714, 032114, 052314, 072214			
Aff.Sub.Wit.			
Verified			
Inventory			
Bond			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt	X		
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: LEG	
		Reviewed on: 8/27/14	
		Updates:	
		Recommendation:	
		File 13 – Martinez	

Status Hearing Re: Filing Bond

DOD: 07/24/2011	PAT DESANTIS , was appointed Administrator with Full IAEA authority with bond set at \$68,000.00.	NEEDS/PROBLEMS/COMMENTS:
	Minute Order of 03/05/2014 set this matter for hearing.	<u>OFF CALENDAR. Amended Order with Limited Powers filed 06/06/2014. Bond not required.</u>
Cont. from 040414, 060614	Status Report filed 05/29/2014 the request for a personal financial statement by the surety company from Mr. DeSantis was declined by him. The estate's interest in the real property of the estate will not be sold during probate. Therefore, it is requested that no bond be required of Mr. DeSantis, and he be given limited authority.	1. Need Proof of Bond to be filed with the Court in the amount of \$68,000.00 pursuant to Probate Code §8480.
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 08/26/2014
		Updates:
		Recommendation:
		File 14 – Di Donna

Age: 62		JEFF DALE , Conservator of the Estate, is Petitioner. Petitioner states: 1. On 08/05/08, a Conservatorship was established for Michelle Dale with Dementia Powers were ordered and Ms. Dale has been in a locked facility in Fresno since that date. The cost of maintaining conservatee in the facility is \$5,000.00 per month. 2. Petitioner, conservatee's husband, was appointed as Conservator of the Estate on 03/25/09. 3. Conservatee's former residence is vacant and has been prepared for sale. Petitioner no longer lives in the residence. 4. The former residence is the sole remaining untapped asset of the Conservatorship estate. 5. Maintaining the residence has caused a financial drain on Petitioner. All of Conservatee's separate assets have been exhausted and Petitioner believes the sale of the residence is necessary to continue to pay for conservatee's care. 6. On 07/23/14, Gordon Panzak, Conservator of the Person, visited conservatee to discuss her living conditions and the necessity to sell the former residence to obtain funds to maintain conservatee living in her current placement. The Conservatee stated that she was well cared for at her current facility and wished to remain there. She further agreed to the sale of the former residence. 7. Conservatee cannot return to the residence because she requires 24 hour supervision due to her dementia and the cost of such care if provided in-home is more than conservatee can afford. Petitioner prays for an Order: 1. Authorizing the sale of the Conservatee's former residence located at 365 N. Emporer, Fresno, CA.	NEEDS/PROBLEMS/COMMENTS: 1. Need <i>Notice of Hearing</i> and proof of service by mail which accompanies the Notice of Hearing. (Form GC-020 is a mandatory use for in Probate Conservatorship matters). Note: Petitioner filed a Proof of Service – Civil on 08/21/14 indicating notice was mailed on 07/24/14. Note: No accounting has been filed in this matter since 2010 (the Order on First Account having been filed on 08/10/10). Therefore it is unknown what the current state of the conservatorship estate is, i.e. assets on hand, expenses, etc. Status hearing regarding failure to file the Second Account has been continued to 09/15/14.	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			x
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Reviewed by: JF

Reviewed on: 08/27/14

Updates:

Recommendation:

File 15A - Dale

Report of Sale and Petition for Order Confirming Sale of Real Property

Age: 62		JEFF DALE , Conservator of the Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Inventory & Appraisal, Reappraisal for Sale completed by Probate Referee within 1 year. 2. The Petition states that there is currently a bond in the amount of \$608,000.00, however court records indicate that bond is posted in the amount of \$340,000.00. The Petition does not state whether sale proceeds will be deposited into a blocked account. Need more information regarding bond/blocked account. 3. Need <i>Notice of Hearing</i> and proof of service by mail which accompanies the Notice of Hearing. (Form GC-020 is a mandatory use for in Probate Conservatorship matters). Note: Petitioner filed a Proof of Service – Civil on 08/21/14 indicating notice was mailed on 07/24/14; however this proof of service is insufficient. Note: No accounting has been filed in this matter since 2010 (the Order on First Account having been filed on 08/10/10). Therefore it is unknown what the current state of the conservatorship estate is, i.e. assets on hand, expenses, etc. Status hearing regarding failure to file the Second Account has been continued to 09/15/14.
		Sale price - \$525,000.00	
		Overbid - \$551,750.00	
Cont. from		Reappraisal - \$534,378.00	
<input type="checkbox"/>	Aff.Sub.Wit.	(Need I & A)	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Property - 365 N. Emperor Fresno, CA	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Publication - Business Journal	
<input type="checkbox"/>	Notice of Hrg	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	Aff.Mail	<input type="checkbox"/> w/	
<input checked="" type="checkbox"/>	Aff.Pub.	Buyer - Bridgette Hunter, Gregory K. Sassano and Kimberly D. Sassano as Joint Tenants	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	Broker - \$31,500.00 (6% - payable ½ to Gregory Schneider and ½ to Alison Uremovic)	
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp	Petition states that bond in the amount of \$608,000.00 has been posted and no further bond is necessary.	
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input checked="" type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: JF
Reviewed on: 08/27/14
Updates:
Recommendation:
File 15B - Dale

Pro Per Estrada, Jeannette M. (Pro Per Petitioner, Co-Guardian)

Pro Per Estrada, Alexander D. (Pro Per Petitioner, Co-Guardian)

Petition for Termination of Guardianship

David Age: 8 yrs	JEANNETTE ESTRADA and ALEXANDER ESTRADA , paternal aunt and uncle, and Co-Guardians appointed on 12/13/2012, are Petitioners.		NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service by mail of the Notice of Hearing with a copy of the Petition for Termination of Guardianship, or Consent to Termination and Waiver of Notice, or a Declaration of Due Diligence, for: <ul style="list-style-type: none"> • Camilo Corrales, paternal grandfather; • Rosa Molina, paternal grandmother; • Amadeo Alegria, maternal grandfather; • Marrisa (last name not listed), sibling, if age 12 or over; • Alexis (last name not listed), sibling, if age 12 or over; • Linda (last name not listed), sibling, if age 12 or over.
Isaiah Age:			
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified	Father: DAVID FERNANDO CORRALES ; consents to termination and waives notice.		
<input type="checkbox"/> Inventory	Mother: ANGELICA MICHELLE ALEGRIA ; consents to termination and waives notice.		
<input type="checkbox"/> PTC	Paternal Grandfather: Camilo Corrales Paternal Grandmother: Rosa Molina		
<input type="checkbox"/> Not.Cred.	Maternal Grandfather: Amadeo Alegria Maternal Grandmother: Linda Perez; Deceased		
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.	Petitioners state the guardianship has affected their marriage.		
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters	Court Investigator Samantha Henson's Report was filed 8/26/2014.		
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: LEG
			Reviewed on: 8/27/14
			Updates:
			Recommendation:
			File 16 - Corrales

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 2/26/12		<p>ANH PHU TU, surviving spouse, is petitioner and requests appointment as Administrator with without bond.</p> <p>All heirs waive bond.</p> <p>Full IAEA - need publication.</p> <p>Decedent died intestate.</p> <p>Residence: Fresno Publication: NEED</p> <p>Estimated value of the Estate: Real property - \$8,099.00 (\$331,293.00 less encumbrances of \$323,194.00.)</p> <p>Probate Referee: RICK SMITH</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Affidavit of Publication.</p> <p>2. Need Order.</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> Wednesday, October 14, 2015 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
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Reviewed by: KT	
Reviewed on: 8/27/14	
Updates:	
Recommendation:	
File 17 - Dunn	

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 05/23/2013		<p>EDWARD MOLLOY, was appointed Administrator with full IAEA authority without bond on 02/11/2014.</p> <p>Letters issued on 02/11/2014.</p> <p>Minute Order of 02/11/2014 set this status hearing for the filing of the Inventory and Appraisal.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR. Inventory and Appraisal was filed 08/27/2014.</u></p> <p>Minute Order of 07/01/2014: Mr. Molloy reports that the house was foreclosed and sold.</p> <p>Minute Order of 06/06/2014: No appearances. Edward Molloy is ordered to be personally present on 07/01/2014 if the Inventory and Appraisal has not been filed.</p> <p>Copy of Minute Order mailed to Edward Molloy on 06/13/2014.</p>
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		Reviewed by: LV	
		Reviewed on: 08/26/2014	
		Updates:	
		Recommendation:	
		File 18 - Molloy	

			TEMP EXPIRES 7-17-14	NEEDS/PROBLEMS/COMMENTS:
			VERONICA SIDHU , Sister, is Petitioner.	1. Need notice to maternal grandmother and notice or diligence re maternal grandfather per Probate Code §1511.
			Father: DARSHAN BRAR	2. Although the Court dispensed with notice to the father, it does not appear that notice to the paternal grandparents has been addressed. If notice is not dispensed, need notice or diligence re paternal grandparents.
			- Notice dispensed per 7-17-14	
<input type="checkbox"/>	Aff.Sub.Wit.		Mother: SABINA SIDHU	
✓	Verified		- Nominates, consents and waives notice	
	Inventory		- Personally served 7-20-14	
	PTC			
	Not.Cred.		Paternal Grandfather: Not listed	
✓	Notice of Hrg		Paternal Grandmother: Not listed	
	Aff.Mail	x	Maternal Grandfather: Not listed	
	Aff.Pub.		Maternal Grandmother: Indira Sidhu	
	Sp.Ntc.		Petitioner states she is capable of caring for the minors and providing what they need.	
✓	Pers.Serv.		Court Investigator Julie Negrete filed a report on 8-1-14.	
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
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✓	CI Report			Reviewed by: skc
✓	Clearances			Reviewed on: 8-27-14
✓	Order			Updates:
	Aff. Posting			Recommendation:
	Status Rpt			File 19 - Brar
✓	UCCJEA			
	Citation			
	FTB Notice			

Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)

Age: 9		<p align="center"><u>GENERAL HEARING 10/27/2014</u></p> <p>BARBARA ANN BROWN, step-mother is petitioner.</p> <p>Father: DERRICKKE DOMITRI BROWN, SR. Consents and Waives notice</p> <p>Mother: NATESSA SHENAE WILLIAMS BELTRAN</p> <p>Paternal Grandfather: Deceased Paternal Grandmother: Paula Robertson</p> <p>Maternal Grandfather: Not Listed Maternal Grandmother: Not Listed</p> <p>Petitioner states: the father had custody of the minor however the father is now currently in custody. The mother, Natessa Shenae Williams Beltran has CPS cases out and is currently using drugs and abusing her prescription medication. Petitioner alleges that the mother's husband is abusive towards the mother and the children. Petitioner also alleges that the mother's husband is a sex offender. Petitioner states that the child has not received medical attention and suffers from severe asthma and has ADHD. The child has not seen his primary physician since before the father received custody of the child.</p> <p>Attached to the Petition is a letter from the father stating that although he is not perfect in his own situation he has a serious problem with the mother and her husband being around his son.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Natessa Shenae Williams Beltran (Mother)
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		<p>Reviewed by: LV</p> <p>Reviewed on: 08/27/2014</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 20 - Brown</p>	

	<p>TEMP GRANTED EX PARTE EXPIRES 9-2-14</p> <p>GENERAL HEARING 10-30-14</p> <p>DEBRA and MICHAEL RICHARD ESPINOZA, Maternal Grandparents, are Petitioners.</p> <p>Father: IAN MALTOS - Personally served 8-21-14</p> <p>Mother: VERONICA ESPINOZA - Personally served 8-21-14</p> <p>Paternal Grandfather: Rick Maltos Paternal Grandmother: Pamela Martens</p> <p>Petitioners state the mother (Veronica) was involved in a motorcycle accident and suffered traumatic brain injury and multiple facial fractures. She is currently in a coma at the Community Hospital ICU. It is unknown at this time when she will be able to care for the minor and will possibly need long term care and rehabilitation.</p> <p>Prior to the accident, Veronica was involved in family law custody case 14CEPR01374 with the father (Ian). It is Petitioner's belief and Veronica's belief that Ian is an active drug user/abuser. On 3-13-14, Veronica filed a request for order seeking custody, visitation, and support, which included an incident of domestic violence during their relationship. After that incident, she moved in with Petitioners. Several months later, Veronica received a telephone call from the apartment manager, as she was still on the lease, stating that drug paraphernalia was seen in the apartment. As a result, Veronica and Ian were evicted. See 13CECL03320. Due to Ian's living situation after that, Veronica never left Kane with him unsupervised. See petition for details.</p> <p>Petitioners state Ian does not know how to provide care for Kane. When he lived with Petitioners for 10 days he completely ignored Kane and Petitioners and Veronica did all the parenting. Kane is now two and Ian has never had Kane overnight. They do not have a relationship.</p> <p>Petitioners request temporary guardianship. He has resided with Petitioners for most of his life and is attached to them. Petitioners fear Ian will remove Kane from the only care providers that he has known.</p> <p>IAN MALTOS (Father) filed an objection on 8-22-14. See additional pages.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petitioners have been directed to join the family law action. See Order filed 8-19-14.</p> <p>Note to Judge: Temp was granted ex parte; therefore, there is no order in the file to sign. Temp letters may be extended by minute order.</p>																																																																										
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 10%;"></td><td style="width: 10%;">Aff.Sub.Wit.</td><td style="width: 10%;"></td></tr> <tr><td>✓</td><td>Verified</td><td></td></tr> <tr><td></td><td>Inventory</td><td></td></tr> <tr><td></td><td>PTC</td><td></td></tr> <tr><td></td><td>Not.Cred.</td><td></td></tr> <tr><td>✓</td><td>Notice of Hrg</td><td></td></tr> <tr><td></td><td>Aff.Mail</td><td></td></tr> <tr><td></td><td>Aff.Pub.</td><td></td></tr> <tr><td></td><td>Sp.Ntc.</td><td></td></tr> <tr><td>✓</td><td>Pers.Serv.</td><td></td></tr> <tr><td>✓</td><td>Conf. Screen</td><td></td></tr> <tr><td></td><td>Letters</td><td></td></tr> <tr><td>✓</td><td>Duties/Supp</td><td></td></tr> <tr><td>✓</td><td>Objections</td><td></td></tr> <tr><td></td><td>Video Receipt</td><td></td></tr> <tr><td></td><td>CI Report</td><td></td></tr> <tr><td></td><td>9202</td><td></td></tr> <tr><td></td><td>Order</td><td></td></tr> <tr><td></td><td>Aff. Posting</td><td></td></tr> <tr><td></td><td>Status Rpt</td><td></td></tr> <tr><td>✓</td><td>UCCJEA</td><td></td></tr> <tr><td></td><td>Citation</td><td></td></tr> <tr><td></td><td>FTB Notice</td><td></td></tr> </table>		Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.		✓	Notice of Hrg			Aff.Mail			Aff.Pub.			Sp.Ntc.		✓	Pers.Serv.		✓	Conf. Screen			Letters		✓	Duties/Supp		✓	Objections			Video Receipt			CI Report			9202			Order			Aff. Posting			Status Rpt		✓	UCCJEA			Citation			FTB Notice			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 100%;">Reviewed by: skc</td></tr> <tr><td>Reviewed on: 8-27-14</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 21 - Mattos</td></tr> </table>	Reviewed by: skc	Reviewed on: 8-27-14	Updates:	Recommendation:	File 21 - Mattos
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Page 2

Ian Maltos (Father) filed an Objection on 8-22-14. Mr. Maltos states that he and Veronica were working on their custodial relationship outside of Court and the case was dismissed. He and Veronica were not involved in a domestic dispute and no charges were filed. They had instability in their relationship; however, many problems were due to her parents. She told him many times that her father was driving drunk with Kane. When confronted, he said, "Sorry."

Mr. Maltos states he is a great father and has moderated in and around the Espinoza family death threats to both him and his father. He was constantly criticized as not being good enough for their daughter, and has always worked to repair every issue. He now lives in Southern California (Corona) and has a job and his own residence. He tries to visit Kane as much as possible, but he was always excluded from plans. He states his son DOES know him and loves him, and he has established stability to be the best father possible. He would never take Kane away from Veronica – she is the greatest mom he could ask for.

Mr. Maltos states he is the father and he wants to raise his son, and deserves to have him and be with him in his time of need. He does not wish to argue back and forth about who is more suitable to raise HIS son. He does not wish to bring any bad into the lives of the grandparents as he wishes they would not do to him. Veronica is everything to him. He loves her more than anyone could understand. They might have had disagreements and issues, but they always knew they would be together again.

Attached are text messages between Ian and Veronica and later between Ian and Petitioners. Mr. Maltos states they did not tell him about Veronica's accident for 9 days.

Age: 15 years	GENERAL HEARING 10/7/14		NEEDS/PROBLEMS/COMMENTS:
	ANNETTE GALVAN, non-relative, is petitioner. Father: ISIDRO BARRIOS Mother: AIDA BARRIOS Paternal grandparents: Not listed. Maternal grandparents: Not listed. Petitioner states mom placed the child with her because she is at risk of mother's mental issues.		
Cont. from			1. Need Notice of Hearing 2. Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition or consent and waiver of notice or declaration of due diligence for: a. Isidro Barrios (father) b. Aida Barrios (mother) c. Jennifer Barrios (minor) Note: A declaration of due diligence was filed for the mother and the father. However, both mother and father were listed on the same form and there was no information as to the efforts made to locate either the mother or the father. 3. UCCJEA is incomplete. It must include the minor's residence information for the past 5 years (2009 – 6/19/14)
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			Reviewed by: KT
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			Recommendation:
			File 22 - Barrios

Pro Per Strother, Lisa (Pro Per Petitioner, mother)
 Pro Per Williams, Orlando (Pro Per Petitioner, brother)

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

Age: 30 years		<p>TEMPORARY GRANTED ON COURT'S OWN MOTION <u>EXPIRED ON 8/25/2014.</u></p> <p>LISA STROTHER, mother, and ORLANDO WILLIAMS, brother, are Petitioners and request appointment as Co-Conservators of the Person with medical consent powers.</p> <p>Need Capacity Declaration.</p> <p>Voting Rights Affected.</p> <p>Petitioners state the proposed Conservatee has recently been diagnosed with paranoid schizophrenia and has become delusional and he admittedly takes drugs regularly, including meth and marijuana. Petitioners state the proposed Conservatee often refuses to eat or take any medication, as he believes people (including Petitioners) are trying to poison him and that the food is contaminated. Petitioners state the proposed Conservatee was dishonorably discharged from the U.S. military in March 2012, and Petitioners are disputing the dishonorable discharge and seeking Veteran's assistance.</p> <p>~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 7/2/2014.</p> <p>Voting Rights Affected – Need Minute Order.</p> <p>Continued from 8/25/2014. Minute Order states: No appearances. Court Investigator is to contact Petitioners and seek out why they might not want to go further with the conservatorship and to advise them of the Public Guardian's assistance.</p> <p>~Please see additional page~</p>
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		<p>Reviewed by: LEG</p> <p>Reviewed on: 8/29/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 23 – Williams</p>	

Additional Page 23, Johanton Derrell Williams (CONS/P) Case No. 14CEPR00517

Petitioners state, continued: The proposed Conservatee is convinced there is a conspiracy against him and people are trying to kill him, his erratic behavior is getting worse, and he is gone for days at a time; the proposed Conservatee refuses to take his antipsychotic medication and his mental health is rapidly declining.

Petitioners request the Court's assistance in having the proposed Conservatee evaluated by a doctor to complete the *Capacity Declaration*, which will more than likely not be filed prior to the hearing, as the Petitioners are having difficulty finding a doctor that is willing to complete the form, since the only doctors who have seen the proposed Conservatee are emergency room physicians, none of whom are willing to complete the *Capacity Declaration*. Petitioners state the proposed Conservatee has no primary care physician, fears medical treatment and doctors and refuses to go visit a doctor, as he believes everyone is conspiring to kill or hurt him.

Court Investigator Dina Calvillo's Report was filed on 7/23/2014.

Minute Order dated 7/28/2014 [Judge Smith] states the Court on its own motion grants a temporary conservatorship of the person in favor of Lisa Strother for the limited purpose of assisting the conservatee with the Veterans benefits appeals process. The temporary expires on **8/25/2014**.

Note: Probate Code § 2356(a) provides no conservatee may be placed in a mental health treatment facility under this Probate Code division against the will of the conservatee; therefore, the proposed conservatee cannot be placed for even temporary residence in a locked facility and given antipsychotic medication against his will. Involuntary civil placement of a proposed conservatee in a mental health treatment facility may be obtained only pursuant to § 5150 or 5350 of the Welfare and Institutions Code (commonly known as LPS Conservatorship.)